

and the Acts of the Board of Trustees and other officers of said district since such incorporation, and to declare said district possessed of all the powers sought to be conferred by such act of incorporation, and other laws, and to declare an emergency."

And find the same correctly engrossed.

COFER, Chairman.

PETITIONS AND MEMORIALS.

By Senator Johnson:

Petition numerously signed by business firms of Henrietta expressing opposition to House bills Nos. 271 and 230.

By Senator Warren:

Petitions numerously signed by citizens of Navarro County expressing appreciation of the benefit that would accrue to the citizens of Navarro County and to the State by the consolidation of the Stephenville, North and South Texas Railroad Company with the St. Louis and Southwestern Railway Company, and urging passage of a bill authorizing same.

By Senator Kauffman:

Petition numerously signed by citizens of Brazoria County asking support of House bill No. 352, and expressing opposition to House bill No. 341.

By Senator Greer:

Petition numerously signed by citizens of Upshur County asking the legislators to authorize the consolidation of the Cotton Belt Railway with the Eastern Texas Railroad Company and the Stephenville, North and South Texas Railroad Company, and that the bill be passed without amendment.

By Senator Greer:

Petition numerously signed by citizens of his district protesting against the wholesale slaughter of wild geese and ducks and asking the Legislature to enact legislation to confine the killing season from September 1 to January 1 each year, and to reduce the legal number that may be killed.

By Senator McNealus:

Telegram signed by the Dallas

Mothers' Council urging the importance of adopting a law prohibiting the use of the public drinking cup in schools, railway stations and trains.

By Senator Terrell of McLennan:

Memorial from Local Union No. 181, United Garment Workers of Fort Worth, asking support of House bill No. 28, which would require "convict-made" goods to be labeled as such.

By Senator Vaughan:

Petition numerously signed by citizens of Cass County protesting against the enactment of House bill No. 341 as a dangerous and non-progressive spirit as applied to the rural school system.

By Senator Perkins:

Petition numerously signed by citizens of Collin County asking the Legislature to authorize the consolidation of the St. Louis Southwestern Railway Company and the Eastern Texas Railway Company and the Stephenville, North and South Texas Railway Company, and that the bill pass without amendment.

THIRTIETH DAY.

Senate Chamber,

Austin, Texas,

Friday, February 24, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Prayer by Rev. Dr. Bradfield of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

SIMPLE RESOLUTION.

By Senator Cofer, by unanimous consent:

Whereas, former State Senator, E. G. Senter, of Dallas, is now in the Capitol, and near the Senate door, therefore, be it resolved that he be invited to address the Senate.

COFER,
MAYFIELD,
M'NEALUS.

The resolution was read and adopted.

The Chair appointed Senators Cofer, Mayfield and Weinert to escort ex-Senator Senter to the President's stand, who, after being introduced, addressed the Senate briefly.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 301, A bill to be entitled "An Act to amend Section 4, Chapter 71 of the Acts of the Twenty-ninth Legislature passed at its Regular Session, entitled 'An Act to amend Section 4, Chapter 86, of the General Laws passed by the Twenty-eighth Legislature at its Regular Session, entitled 'An Act to protect stock raisers and farmers, and providing for the destruction of wolves and other wild animals, to require the commissioners courts of the several counties of this State not herein specially exempted to pay for the killing of such wolves and other wild animals, and to repeal all laws in conflict herewith,' placing Blanco county under the provisions of this law and declaring an emergency."

House bill No. 302, A bill to be entitled "An Act creating the Alla Independent School District in Burnet county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only, un-

der the General Laws, and declaring an emergency," with engrossed rider.

House bill No. 381, A bill to be entitled "An Act to amend Section 1 of Chapter 3 of an Act passed by the First Called Session of the Twenty-second Legislature entitled 'An Act to organize and establish the Twenty-first Judicial District, to fix the time of holding courts therein, and to repeal all laws and parts of laws in conflict therewith,' and to change the time of holding the terms of the district court of Bastrop county and conform the issuance of service and return of process from said court to such change, and repeal all laws and parts of laws in conflict herewith."

House bill No. 386, A bill to be entitled "An Act to provide for the exemption of Hunt county from the provisions of the county auditor's Act, being Chapter 161 of the Acts of the Twenty-ninth Legislature and amended by Chapter 168 of the Thirtieth Legislature, and providing for the submission hereof to a vote of the qualified voters of said county."

House bill No. 506, A bill to be entitled "An Act to amend Section 7 of Chapter 32 of the laws of the Regular Session of the Twenty-seventh Legislature, being an Act entitled An Act to create a more efficient road system for Clay county, Texas, and making the county commissioners of said county ex officio road commissioners; prescribing their duties as such; providing for their compensation as commissioners; providing for the appointment of deputy road commissioners, and defining their duties; for the working of county convicts, partly on farm and partly on public roads, or other public works of the county; for compensation of said convicts; offering suitable rewards for recapture of convicts; charging cost of same against said convict in discretion of said court, providing mode of punishment for insubordination of said convicts; providing for the condemnation of land needed for road purposes; providing for taking timber, gravel, earth, stone or other material for the improvement of the roads, providing for annual reports of road commissioners and their deputies; for contracting for work when deemed necessary; providing for penalty for violation of this Act; repealing all laws in conflict herewith"

House bill No. 507, A bill to be en-

titled "An Act to create a more efficient road system for Brazos county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time for road service for same, and fixing the penalty for a violation of this Act, and repealing all laws in conflict with this Act."

House bill No. 402, A bill to be entitled "An Act to amend an Act of the Twenty-eighth Legislature of the State of Texas, entitled 'An Act to incorporate the city of Corsicana, in Navarro county, Texas, and to fix the boundaries thereof, and to provide for its government and management of its affairs,' and amended by Chapter 39 of the Special Laws of the Thirtieth Legislature of the State of Texas, and by Chapter 22 of the Special Laws of the Thirty-first Legislature of the State of Texas, by amending Section 28 thereof so that the city marshal shall receive such salary as the council may fix, not to exceed \$100.00 per month, and each policeman shall receive such salary as the council shall fix, not to exceed \$75.00 per month, and by amending Section 185 so as to provide that the city may purchase and improve and maintain parks, hospitals and sanitariums and raise funds and appropriate same therefor, and by amending Sections 194, 195 and 196 so as to provide for a maximum tax levy for any year of \$1.80 on the \$100.00 valuation of property subject to taxation, and declaring an emergency," with engrossed rider.

House bill No. 449, A bill to be entitled "An Act to create the county Court of Jefferson County at Law, for the county of Jefferson; to define the jurisdiction thereof; to fix the time for the holding of the terms thereof; to provide for the appointment, election, qualification and compensation of the judge thereof; and

to conform to such change the jurisdiction of the County Court of Jefferson county; defining certain duties of the judge of the County Court of Jefferson County; and providing certain additional compensation for the county judge of Jefferson county, repealing all laws in conflict therewith, and declaring an emergency."

House bill No. 478, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Kendall county; to conform the jurisdiction of the district courts thereto and to repeal all laws in conflict therewith, and declaring an emergency."

Senate bill No. 66, A bill to be entitled "An Act to validate and legalize all sales of real estate belonging or that belonged to Gaines county, situated in the town of Seminole in Gaines county, heretofore made at private sale for and in behalf of said county by J. W. Miller in his representative capacity as commissioner under appointment of the commissioners court of said county, by orders entered upon its minutes to sell and dispose of real estate of said county situated in said town, and also validating all conveyances of said real estate made by said commissioner as such, in consummating such sales, and declaring an emergency."

House bill No. 483, A bill to be entitled "An Act to amend Section 14 of Chapter 8 of the Special Laws of the Twenty-eighth Legislature, being an act to create a more efficient road system for Eastland county, Texas, so as to provide that county commissioners may receive a greater compensation when acting as road commissioners."

House bill No. 500, A bill to be entitled "An Act to amend Sections 2, 21 and 28 of Article 2, by adding thereto Section 35, and Article 3, by adding thereto Section 4a, and Sections 1, 3, and 4, of Article 5, and Sections 1 and 9 of Article 6, and Sections 1, 2, and 12, of Article 7, and Sections 16 and 17 of Article 9, of Chapter 33, Special Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation and as amended by an Act of the Thirty-first Legislature of the State of Texas, at its Third Called Session, and approved August 15, 1910, repealing all laws and parts of laws in conflict herewith, and declaring an emergency;' defining the cor-

porate powers of the city of Denison, regulating the election of school trustees, defining their qualifications and duties, regulating contracts for public work, providing for a depository of city funds, regulating the assessing and collection of taxes, defining the city council, providing for the qualifications of the members thereof, fixing their tenure of office and regulating their election, regulating the appointment and removal of officers and employes, defining the qualifications of the mayor, providing for his election, and fixing his tenure of office, fixing the mayor's salary, regulating the number of aldermen, defining their qualifications, providing for their election and fixing their tenure of office, fixing the salary of aldermen, and providing for the election of the mayor, aldermen, school trustees and other officers, and heads of departments, and fixing their tenure of office, under the provisions of this Act, and declaring an emergency."

Also returned Senate bill No. 139, with the respectful suggestion that said bill is for the purpose of raising revenue, which must originate in the House of Representatives, in accordance with Article 3, Section 33, of the Constitution of the State of Texas.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following bills:

House bill No. 427, referred to Committee on Educational Affairs.

House bill No. 182, referred to Committee on Counties and County Boundaries.

House bill No. 506, referred to Committee on Roads, Bridges and Ferries.

House bill No. 500, referred to Committee on Towns and City Corporations.

House bill No. 402, referred to Committee on Towns and City Corporations.

House bill No. 507, referred to Committee on Roads, Bridges and Ferries.

House bill No. 449, referred to Committee on Judicial Districts.

House Bill No. 478, referred to Committee on Judicial Districts.

House bill No. 483, referred to Committee on Roads, Bridges and Ferries.

House bill No. 301, referred to Committee on Agricultural Affairs.

House bill No. 302, referred to Committee on Educational Affairs.

House bill No. 381, referred to Committee on Judicial Districts.

House bill No. 386, referred to Committee on Judiciary No. 1.

The Chair directed Senate bill No. 139 returned to the calendar, properly endorsed, for further action by the Senate, and

Senator Sturgeon, author of the bill, gave notice that he would file a protest in accordance with the law and Constitution.

REGULAR ORDER.

The Chair called the regular order of business. (See Appendix for committee reports and petitions and memorials.)

INVITATION—ACCEPTANCE OF.

Austin, Texas, Feb. 23, 1911.

To the Honorable Senate, Thirty-second Legislature.

The students of the University of Texas observe the day, March 2nd, on which our State was declared freed from the yoke of Mexican oppression, in a manner fitting to the hallowed memory of those pioneers of our great State who fought and died in the cause for her independence.

We, therefore, invite your honorable body to be present on that day at 10:30 o'clock in the auditorium of the main building, where seats will be reserved for you.

Very respectfully,

L. S. HOFFMAN,

President U. of T. Students' Association.

The above invitation was read and on motion of Senator Cofer, was accepted.

ENROLLING CLERK INSTRUCTED TO HOLD BILL.

Senator Willacy moved that the Enrolling Clerk be directed to hold Senate bill No. 240 until further instructions from the Senate.

The motion prevailed.

SIMPLE RESOLUTION.

Resolved, That Hon. Ed F. Harris, an ex-member of the House of Representatives, who served in that body with distinction during several terms, be invited to address this body.

KAUFFMAN.
HUDSPETH.

The resolution was read and adopted.

The Chair appointed Senators Kauffman, Hudspeth and Hume to escort Mr. Harris to the president's stand. After being introduced Mr. Harris addressed the Senate briefly.

BILLS AND RESOLUTIONS.

By Senator Sturgeon:

Senate bill No. 308, A bill to be entitled "An Act to provide for the exemption of Fannin county from the provisions of the county auditor's act, being Chapter 161 of the Acts of the Twenty-ninth Legislature, and amended by Chapter 168 of the Acts of the Thirtieth Legislature, and providing for the submission hereof to a vote of the qualified voters of said county."

Read first time, and referred to Committee on Judiciary No. 1.

By Senator McNealus:

Senate bill No. 309, A bill to be entitled "An Act to amend Chapter 16 of the Revised Statutes of the State of Texas by adding Articles 4034-m, 4034-n, 4034-o, 4034-p, 4034-q, 4034-r, 4034-s, 4034-t and to provide for a system of physical inspection of the children in the public schools in cities having a population of 15,000 or over according to the last United States census and making provision for such inspection, and providing for rules to regulate the same and the enforcement thereof."

Read first time, and referred to Committee on Educational Affairs.

Morning call concluded.

(By unanimous consent after the morning call was concluded.)

By Senator Willacy:

Senate bill No. 310, A bill to be entitled "An Act to reorganize the twenty-eighth Judicial District of the State of Texas, to fix the times for holding the terms of district court therein;

to make all process heretofore issued as well as all bonds and recognizances heretofore entered into conform thereto; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Meachum

Senate bill No. 311, A bill to be entitled "An Act to amend Title 51, Chapter 15 of the Revised Civil Statutes of the State of Texas, relating to guardianship of persons of unsound mind and habitual drunkards, so as to add thereto Articles 2742a and 2742b; providing for the partition and distribution of the estates of persons of unsound mind by their lawful heirs at law, where it is made to appear that such person of unsound mind is permanently insane and that the estate of such person consists of property of greater value than is necessary for the support and maintenance of such person of unsound mind, out of the income and profits thereof, and the reasonable expense of legal proceedings in connection therewith; providing for procedure in such cases where partition and distribution is sought, determining the manner by which such partition and distribution may be had; providing who shall inherit such estates, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Mayfield:

Senate bill No. 312, A bill to be entitled "An Act to amend Section 4 of Chapter 86 of the Acts of the Twenty-eighth Legislature, relating to wolves and other wild animals, and providing for the destruction thereof, as amended by the Thirty-first Legislature; taking Bosque county from under the provisions of this law, and declaring an emergency."

Read first time and referred to Committee on Stock and Stock Raising.

By Senator Adams:

Senate bill No. 313, A bill to be entitled "An Act to amend Section 10 of Chapter 79 of the General Laws, passed by the twenty-seventh Legislature, which said chapter was also amended by the Act of the Thirty-first Legislature of the State of Texas, creating a more efficient road system for Brown county, Texas, and making

the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners."

Read first time and referred to Committee on Roads, Bridges and Ferries.

SENATE BILL NO. 177.

Senate bill No. 81 being regular order,

On motion of Senator Hudspeth, the regular order of business (Senate bill No. 81) was suspended, and the Senate took up, out of its order, Senate bill No. 177, by unanimous consent,

The Chair laid before the Senate on second reading

Senate bill No. 177, A bill to be entitled "An Act to enable the people of the arid sections of the State to receive the benefits of the United States Reclamation Act, by declaring that water users' associations organized under the authority of such Act, and the regulations of the Department of the Interior of the United States, to be not subject to charter fees and franchise taxes, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.	Paulus.
Astin.	Peeler.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Bryan.	Perkins.
Hume.	Terrell, McLennan
Kauffman.	

The bill was read third time, and passed by the following vote:

Yeas—28.

Adams.	Murray.
Astin.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Bryan.	Terrell, McLennan
Paulus.	

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to House bill No. 138.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

SENATE BILL NO. 80.

On motion of Senator Johnson, the regular order of business (Senate bill No. 81) was suspended, and the Senate took up, out of its order, Senate bill No. 80, by the following vote:

Yeas—23.

Adams.	Meachum.
Carter.	Murray.
Collins.	Peeler.
Greer.	Perkins.
Hudspeth.	Ratliff.
Hume.	Real.
Johnson.	Terrell, McLennan
Kauffman.	Townsend.
Lattimore.	Ward.
Mayfield.	Warren.

Watson. Willacy.
Weinert.

Nays—5.

Cofer. Sturgeon.
McNealus. Terrell, Wise.
Paulus.

Absent.

Astin. Vaughan.
Bryan.

The Chair laid before the Senate on second reading,

Senate bill No. 80, A bill to be entitled "An Act to amend Section 6d of Chapter 20, passed by the Regular Session of the Thirtieth Legislature and approved May 16, 1907, relating to transfers by purchase of public free school, university and asylum lands, and declaring an emergency."

The committee report, with (committee) amendments, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Adams.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan
Hume.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Nays—1.

McNealus.

Absent.

Astin. Bryan.

The bill was read third time, and passed by the following vote:

Yeas—28.

Adams.	Bryan.
Astin.	Carter.

Cofer.	Ratliff.
Collins.	Real.
Hudspeth.	Sturgeon.
Johnson.	Terrell, McLennan.
Kauffman.	Terrell, Wise.
Lattimore.	Townsend.
Mayfield.	Vaughan.
Meachum.	Ward.
Murray.	Warren.
Paulus.	Watson.
Peeler.	Weinert.
Perkins.	Willacy.

Present—Not Voting.

McNealus.

Absent.

Greer. Hume.

Senator Johnson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 478.

On motion of Senator Real, the regular order of business (Senate bill No. 81) was suspended, and the Senate took up, out of its order, House bill No. 478, by unanimous consent.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its second reading by the following vote:

Yeas—29.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan
Greer.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Present—Not Voting.

McNealus.

Absent.

Hudspeth.

On motion of Senator Real, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate on second reading,

House bill No. 478, "An Act to diminish the civil and criminal jurisdiction of the county court of Kendall county, etc., and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—30.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan
Hume.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hudspeth.

The bill was read third time, and passed by the following vote:

Yeas—29.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Collins.	Peeler.
Greer.	Perkins.
Hume.	Real.
Johnson.	Sturgeon.
Kauffman.	Terrell, McLennan
Lattimore.	Terrell, Wise.
Mayfield.	Townsend.

Vaughan.
Ward.
Warren.

Watson.
Weinert.
Willacy.

Absent.

Hudspeth.

Ratliff.

Senator Real moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 81.

The Chair, pending discussion, held that Senate bill No. 81 was the pending business, and

The Chair laid before the Senate on second reading and pending business

Senate bill No. 81, A bill to be entitled "An Act providing for the appointment of additional judges, clerks and supervisors for elections at which a constitutional amendment or any question or proposition is voted upon; and providing that the vote of any county, city or other political subdivision or voting precinct of any county wherein this Act is not complied with shall not be counted as to or in the determination of the adoption or rejection of such constitutional amendment, question or proposition, and declaring an emergency."

There was pending an amendment by Senator Lattimore, and by unanimous consent, it was withdrawn. Senator Vaughan offered the following amendment:

Amend the bill by striking out all after the enacting clause and substituting in lieu thereof the following:

Section 1. Whenever any proposed amendment to the Constitution of this State is to be voted upon by the qualified voters of this State, either at an election held for that purpose or at any election for the State officers, the county chairman of any organization advocating, and the county chairman of any organization opposing the adoption of such amendment, or if such county chairman fails to act, then three members of the county executive committee or any organization advocating, or three members of the county executive committee of any organization

opposing the adoption of such constitutional amendment may at any time not less than five days before the election at which such proposed amendment is to be voted upon, nominate one Judge, one Clerk and one Supervisor to serve as Judge, Clerk and Supervisor respectively for the voting precinct box for which they are so selected, who shall be qualified voters of the voting precinct or box for which they are chosen, by presenting in writing to the County Judge of the county the names of such Judges, Clerks and Supervisors so selected, and such County Judge shall appoint the parties nominated to act in such capacities at the respective voting precincts and boxes for which they are respectively selected. Should the County Judge fail or refuse to appoint such officers, they shall apply to the officers and judges of the voting precinct or box for which they were respectively nominated, and the manager and judges of such precinct or box shall permit such persons so selected to act in the capacities named.

Sec. 2. Should any such additional judge, clerk or supervisor, after having been selected in the manner provided for in the foregoing section, be denied the right to serve in the capacity for which he shall have been so selected, by the manager and judges of any voting precinct or box, then the vote of that precinct or box, the election officers of which shall have refused to comply with the provisions of this Act, shall not be counted as to or in the determination of the adoption or rejection of such constitutional amendment.

Sec. 3. Such judges, clerks and supervisors shall serve in addition to the election officers provided for by the General Election laws, and they shall receive the same compensation. Said judges and clerks shall assist in holding and conducting said election, and in receiving and counting the votes cast. Said supervisor shall have the right to watch the conduct of the election including the counting of the votes, locking and sealing the ballot boxes, their custody and safe return.

Sec. 4. Any supervisor who shall discover any fraud or irregularity in the conduct of an election or in

counting the votes or in making returns thereof, within ten days after said election, shall file a written report under oath with the county clerk of the county in which he resides, setting out fully any irregularity or fraud or semblance thereof occurring in said voting precinct or box that would in any manner affect the true result of said election in said voting precinct. The clerk of the county court of said county shall keep said report on file in his office and shall permit the same to be inspected upon application by any citizen of this State.

Sec. 5. Any manager, judge or clerk of any such election who shall knowingly make any false return or false certificate of the result of any such election, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by confinement in the penitentiary for not less than two nor more than ten years.

Sec. 6. Any officer of any county upon whom is placed by law the duty of making and certifying to the Secretary of State returns of any such election, who shall knowingly make or certify to any false certificate or false statement of the result of any such election, shall be deemed guilty of a felony, and upon conviction shall be punished by confinement in the penitentiary for not less than ten nor more than twenty-five years, and a prosecution for a violation of this section of this act may be begun and conducted either in the county in which such transaction or offense occurred or in Travis county, Texas, and venue of any such prosecution may be changed as in other cases.

Sec. 7. Should any county judge refuse to appoint the officers as provided for and required in section one of this act, upon application to him, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500 and by imprisonment in the county jail for not less than ten days nor more than thirty days, and in addition such refusal of such county judge shall be grounds for his impeachment and removal from office.

Sec. 8. Within sixty days from the date of any such election upon

any proposed amendment to the Constitution, and not thereafter, any citizen of this State who is a qualified voter shall have the right to contest said election by filing his petition in one of the district courts of Travis county, Texas, setting forth fully his grounds for contest, naming the Secretary of State as contestee; and thereupon the district judge in whose court the contest is filed shall make an order for the issuance, and the clerk of said court or the judge thereof shall issue a writ of injunction enjoining the Secretary of State from tabulating, estimating or canvassing the returns of said election, and from ascertaining or declaring the result of said election until said contest is finally determined. Citation shall be issued and served upon the Secretary of State as in other civil cases. At the time of filing such petition, contestant shall cause to be published in some daily newspaper published in the State for not less than ten days before appearance day, a brief notice to all parties interested that such suit has been filed. The Secretary of State shall within 20 days from service of citation file a formal answer, but shall not be liable for any cost. Any qualified citizen or citizens adversely interested in such contest, may appear by counsel of their own choosing upon either side of the contest, but opponents of the contest shall have the right to direct and control the pleadings of the Secretary of State and the conduct of the contest upon the part of the contestees; and contestants shall jointly and not severally plead in the cause. The said court shall cause the party contesting the result of said election and the parties adversely interested to form issues and shall as near as may be conform the hearing and determination of such contest to the proceedings usual in courts in contested election cases. The court shall permit contestants to amend their petition, include therein allegations charging fraud, irregularity or mistakes, upon such terms as to the court may seem just, and likewise the contestees shall have the right both to contest the charges made by the contestant and to make counter charges, but the court shall bring the parties to issue with all possible dispatch.

Sec. 9. The said court shall have the power to appoint commissioners to sit at such places as the court may designate for the purpose of hearing testimony, reducing same to writing and reporting same to said court. Said court shall also have the power to issue all orders that may be necessary or proper to compel the production before said court or any commissioner appointed by said court, of all ballot boxes and instrumentalities used in connection with said election, that may be necessary or proper to the determination of the issue raised by such contest, and to send by proper process to any county in the State for the officers of the election or the custodians of ballot boxes for the purpose of aiding in ascertaining and determining any matter or thing necessary or proper in connection with the trial of said contest.

Sec. 10. The said court may proceed to the trial of said issue raised by said contest either in term time or vacation after having given the contestants and contestees full and fair opportunity to produce before said court the evidence pro and con upon such issues. The court may adjourn said hearing from time to time and may before the final determination of said cause, make such orders and decrees as to the court may seem just and proper, requiring any election officers to make such certificates of the result of such election as in the judgment of the court such officers should have been made in making the returns of such election.

Sec. 11. Upon the trial of said cause, the court shall have full power and authority to hear and determine all matters and things necessary or proper to the determination of the question, whether a majority of the legal votes cast in said election, either in favor or against said proposed amendment, including the manner of holding the election, and frauds or irregularities in the conduct thereof or in the making of the returns thereof, illegal votes cast at said election or legal votes prevented from being cast, false calculations, certificates or returns, and to exercise all powers of the court, both in law or in equity in order to fully inquire into and ascertain the true and correct result of such election, free from any fraud, irregularity or mistake.

Sec. 12. The said court shall have full power and authority when the result of such election in any voting precinct box shall have been ascertained and determined, to order and compel the proper officers thereof to make true and correct returns of such election in such voting box as finally determined by said court, to the proper officers of such county, and when the result in any county shall have been ascertained and determined by said court, to order and compel the proper returning officers of such county to make true and correct returns of the result of said election in said county as to said amendment as ascertained by said court to the Secretary of State, and to order the Secretary of State to make his returns, tabulations, canvassings, countings and certificates in accordance with the result of such election as finally ascertained and determined by the court.

Sec. 13. The provisions of this act are cumulative and not exclusive of the powers, rights and authority vested in the district courts of Texas.

Sec. 14. The said contest shall have precedence in said court over all other causes pending therein, and upon final disposition thereof an appeal may be taken by either party as in other civil cases, and such appeal or writ of error or motion for rehearing shall have precedence over all other causes pending in the appellate courts to which the appeal or writ of error is taken except such cases as may be entitled to precedence over said cause by virtue of some provisions of the Constitution of this State. Upon final judgment in said appellate court, it shall be the duty of said appellate court to enter decree ordering and directing the Secretary of State to declare the true result of said election as judicially determined and ascertained by said court, and the Secretary of State shall make his tabulations, canvassings and certificates of the results of such election in accordance with the final judgment of said court and said amendment shall be adopted or rejected in accordance with the final result of said election as finally determined by the judgment of said court.

Sec. 15. The result of said contest shall finally settle all questions relating to the validity of said election and it shall not be permissible to again call the legality of said election in question in any other suit or proceed-

ing, and if no contest of said election is filed and prosecuted in the manner and within the time herein provided for, it shall be conclusively presumed that said election as held and the result thereof as declared are in all respects valid and binding upon all courts; provided, that pending such contest the enforcement of all laws in relation to the subject matter of such contest shall not be suspended, but shall remain in full force and effect and all laws and parts of laws in conflict herewith are hereby repealed.

Sec. 16. This law shall not repeal any existing statute with reference to the conducting of elections, but shall be cumulative thereof.

Sec. 17. The importance to the people of the State of fairness in the holding of elections and in making returns thereof and the inadequacy of the present law to insure that result when proposed amendments to the Constitution are to be voted upon, and the crowded condition of the calendar and the prospective near adjournment of the present session of the Legislature, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

(President Pro Tem. Hudspeth in the chair.)

Pending discussion Senator Vaughan moved that the amendment be printed in the Journal, which motion prevailed.

Pending.

RECESS.

On motion of Senator Carter the Senate, at 12:30 o'clock p. m., recessed until 3 o'clock today.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

SENATE BILL NO. 81.

Action recurred on Senate bill No. 81, the question being on the amendment by Senator Vaughan. Senator Lattimore moved that further con-

sideration of the bill be postponed until tomorrow morning and be made the pending business then.

The motion prevailed.

SENATE BILL NO. 186.

On motion of Senator Mayfield the regular order of business (Senate bill No. 41) was suspended and the Senate took up, out of its order, Senate bill No. 186, by the following vote:

Yeas—23.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Warren.
Lattimore.	Weinert.
Mayfield.	

Nays—1.

Ward.

Absent.

Kauffman.	Vaughan.
Paulus.	Watson.
Ratliff.	Willacy.
Real.	

The Chair laid before the Senate on second reading

Senate bill No. 186, A bill to be entitled "An Act to amend Chapter 56 of the Acts of the Regular Session of the Thirty-first Legislature (1909), approved March 17, 1909, relating to the State Institution for the Training of Juveniles, by adding thereto a new article to be known as Article 2947a, providing for religious services at said institution and the employment of a chaplain, and declaring an emergency."

The bill having been read, Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill by striking out \$720 in words and figures in line 26, and insert in lieu thereof (\$1,000) one thousand dollars.

HUDSPETH,
HUME.

Senator Meachum offered the fol-

lowing amendment, which was read and adopted:

Amend the bill, line 25, by adding after the word "inmates" the following: "and to visiting sick inmates at such times and occasions as may be necessary."

MEACHUM,
MAYFIELD.

Bill read second time and ordered engrossed.

On motion of Senator Mayfield the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	

Absent.

Kauffman.	Ratliff.
Murray.	Willacy.

The bill was read third time and passed by the following vote:

Yeas—28.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

Absent.

Kauffman.	Willacy.
Murray.	

Senator Mayfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 188.

Senator Ward called up:

Senate bill No. 188, A bill to be entitled "An Act to amend Section 14 of special road law of Johnson county, passed at the Regular Session of the Twenty-ninth Legislature,"

With the following House amendment:

House amendment to Senate bill No. 188: Amend Senate bill No. 188 by inserting \$90 instead of \$80 wherever it appears.

On motion of Senator Ward the House amendment was concurred in.

SENATE BILL NO. 41—RECOMMITTED.

The regular order being Senate bill No. 41, the semi-monthly pay bill, Senator Vaughan moved that the bill be recommitted to the Committee on Labor.

The motion prevailed by the following vote:

Yeas—27.

Adams.	Peeler.
Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.
Meachum.	

Nays—1.

Terrell, McLennan.

Absent.

Kauffman.	Paulus.
Murray.	

The bill was accordingly recommitted to Committee on Labor.

SENATE BILL NO. 35.

On motion of Senator Collins the special order of business (Senate bill No. 165) was suspended, and the Senate took up, out of its order, Senate bill No. 35, by the following vote:

Yeas—20.

Carter.	Feeler.
Cofer.	Ratliff.
Collins.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, McLennan.
Johnson.	Terrell, Wise.
Mayfield.	Townsend.
McNealus.	Vaughan.
Meachum.	Ward.
Paulus.	Warren.

Nays—5.

Adams.	Lattimore.
Astin.	Watson.
Greer.	

Absent.

Bryan.	Perkins.
Kauffman.	Weinert.
Murray.	Willacy.

The Chair laid before the Senate on second reading

Senate bill No. 35, A bill to be entitled "An Act to require the attendance of all boys and girls between the ages of seven years and seventeen, upon the public schools or some private school, for at least eighty days each school year, requiring parents or guardians to make monthly reports to the teachers, showing the cause of the absence of their children or wards, and making it a misdemeanor for any parent or guardian to fail to require their children of the lawful age to attend the required time, if not hindered by some cause unavoidable to such parent or guardian, making it a misdemeanor for a parent or guardian to fail to report the cause of absence of such children, when it occurs, and repealing all laws in conflict herewith."

There being an adverse majority committee report and a favorable minority committee report,

Senator Collins moved to adopt the minority (favorable) committee report.

(Senator Peeler in the chair.)

**HOUSE BILL NO. 2—ADOPTION
OF FREE CONFERENCE RE-
PORT ON.**

By Senator Watson:

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: Your Free Conference Committee, appointed to consider House bill No. 2, as amended by the Senate, have had the same under consideration, and beg to report same back with the recommendation that the Senate amendment to said bill be concurred in.

WATSON,
HUDSPETH,
REAL,
JOHNSON,
LATTIMORE,

On the part of the Senate.
TURNER,
HAMILTON of Childress,
RUCKS,
DUNN,
SMITH of Atascosa,
On the part of the House.

The above report was read and adopted by the following vote:

Yeas—26.

Adams.	McNealus.
Astin.	Meachum.
Bryan.	Murray.
Carter.	Paulus.
Cofer.	Peeler.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan.
Hume.	Terrell of Wise.
Johnson.	Townsend.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.

Absent.

Perkins.	Weinert.
Ratliff.	Willacy.
Vaughan.	

**CHANGE IN FREE CONFERENCE
COMMITTEE.**

Senator Cofer moved that Senator Meachum be made a member of the Free Conference Committee on Sen-

ate Concurrent Resolution No. 13, in place of Senator Willacy, who was unable to serve on account of committee work.

The motion prevailed.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the report of the Free Conference Committee on House bill No. 2.

Respectfully,

BOB BARKER,

Chief Clerk House Representatives.

SENATE BILL NO. 35.

Action recurred on Senate bill No. 35, the question being on the motion by Senator Collins to adopt the minority (favorable) committee report.

RECESS.

Pending discussion, Senator Terrell of Wise moved that the Senate recess until 8:30 o'clock tonight.

The motion prevailed.

AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Davidson.

**FREE CONFERENCE COMMITTEE
REPORT.**

Austin, Texas, Feb. 24, 1911.

By Senator Cofer:

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred Senate Concurrent Resolution No. 13, relating to the invitation proposed to be extended to the Hon. Judson Harmon of Ohio to address the Legislature of Texas in joint session.

Beg leave to report that the Senate Committee and a majority of the House Committee have adjusted the difference between the Senate and House upon said resolution, and

recommend that the House recede from its amendment; and that the resolution pass as the same passed the Senate, without amendment.

ADAMS,
COFER,
MEACHUM,
PERKINS,
KAUFFMAN,

On the Part of the Senate.

HILL,
KENNEDY,
NICKELS of Hill,
(being a majority)

On the Part of the House.

The above report was read and adopted.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 23, relating to claim of the State of Texas against the United States for the protection of the frontier against Indian depredations and Mexican marauders.

House bill No. 98, A bill to be entitled "An Act to prohibit any corporation, individual, partnership, contractor, superintendent, foreman, engineer or other person having the supervision of any work, being by or for the State of Texas, or any subdivision thereof, or any municipality therein, from requiring or permitting any person engaged in such work to remain on duty more than eight hours in any consecutive twenty-four hours, except in certain cases of emergency, and excepting further, those engaged in the performance of some official duty, and providing a penalty for the violation of the law," with engrossed rider.

Respectfully,

BOB BARKER,

Chief Clerk House Representatives.

BILLS READ AND REFERRED.

The Chair, Lieutenant Governor Davidson, had referred, after their captions had been read, the following bills:

House bill No. 98, referred to Committee on Internal Improvements.

House Concurrent Resolution No.

23, referred to Committee on State Affairs.

SENATE BILL NO. 228.

In accordance with a resolution adopted several days ago, providing for the order of business for the night sessions, the Chair recognized the Senator from the Fourth District.

On motion of Senator Cofer the regular order of business (Senate bill No. 165) was suspended and the Senate took up, out of its order, Senate bill No. 228 by the following vote:

Yeas—28.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, McLennan.
Hume.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Willacy.

Nays—1.

Watson.

Absent.

Kauffman.

Weinert.

The Chair laid before the Senate on second reading

Senate bill No. 228, A bill to be entitled "An Act authorizing a comparison of handwriting by experts or by the court or jury in civil suits, and providing that irrelevant papers may, when shown to be genuine, be admitted in evidence as standards of comparison, and providing that the common law rules of evidence on this subject shall remain otherwise unaffected, and declaring an emergency."

The bill having been read, Senator Paulus offered the following amendment:

Strike out all after the word "Texas," line 12, page 1.

The amendment was laid on the table subject to further consideration of the bill.

Senator Terrell of Wise offered the following amendment, which was read and adopted:

Amend after the word "writing," line 21, page 1, the following: "Provided, however, such proposed handwriting of comparisons shall not be permitted to go before the jury where the substance of such writing is not otherwise admissible and is prejudicial to the rights of either party to said suit, but the same may be used as comparisons by expert witnesses."

Senator Collins offered the following amendment:

Amend as follows: By adding after Section 1, as amended as follows: "and provided further, that the provisions of this Act shall not apply to any litigation now pending."

The amendment was adopted by the following vote:

Yeas—17.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Real.
Carter.	Sturgeon.
Cofer.	Townsend.
Collins.	Vaughan.
Hudspeth.	Ward.
Johnson.	Watson.
Meachum.	

Nays—9.

Greer.	Peeler.
Hume.	Ratliff.
Kauffman.	Terrell, McLennan.
Lattimore.	Terrell, Wise.
Mayfield.	

Present—Not Voting.

McNealus.	Perkins.
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Absent.

Warren.	Willacy.
Weinert.	

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill, line 21, by adding after the word "writing" and just preceding the amendment offered by the Senator from Wise, the following: "and provided the genuineness of the hand writing offered as a standard of comparison may be submitted as an issue of fact for the jury."

Senator Sturgeon offered the following amendment:

Amend the bill by striking out all of line 15 after the word "experts."

Senator Cofer moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—15.

Astin.	Meachum.
Cofer.	Peeler.
Collins.	Ratliff.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	

Nays—7.

Adams.	Murray.
Carter.	Real.
Hume.	Sturgeon.
Kauffman.	

Present—Not Voting.

McNealus.	Terrell, McLennan.
Perkins.	

Absent.

Bryan.	Watson.
Paulus.	Weinert.
Warren.	Willacy.

Senator Collins offered the following amendment:

Amend as follows: Strike out the word "whom" in line 21, page 1, and insert in lieu thereof the word "who."

The amendment was adopted by the following vote:

Yeas—20.

Adams.	Mayfield.
Astin.	Meachum.
Carter.	Peeler.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.

Nays—3.

Kauffman.	Ratliff.
Perkins.	

Present—Not Voting.

McNealus.

Absent.

Bryan. Watson.
Murray. Weinert.
Paulus. Willacy.
Warren.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the caption, line 10, by adding after the word "unaffactive" the words "providing pending litigation shall not be effected by the provisions of this Act."

Senator Terrell of Wise offered the following amendment:

Amend the bill by striking out all of line 15, page 1, after the word "experts" and insert in lieu thereof the following: "and such comparisons may be made by the judge or jury trying the suit."

The amendment was read and adopted.

Action then recurred on the pending amendment by Senator Paulus and the same was, on motion of Senator Cofer, tabled.

Senator Cofer moved the previous question on the bill, the motion being duly seconded, was so ordered.

Bill read second time and ordered engrossed.

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Adams.	Perkins.
Astin.	Ratliff.
Bryan.	Real.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Greer.	Townsend.
Hudspeth.	Vaughan.
Hume.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Peeler.	

Nays—1.

Kauffman.

Present—Not Voting.

McNealus.

41—S.

Absent.

Murray. Paulus.

The bill was read third time and passed by the following vote:

Yeas—23.

Adams.	Perkins.
Astin.	Ratliff.
Bryan.	Real.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Hudspeth.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Peeler.	

Nays—6.

Carter.	Murray.
Hume.	Sturgeon.
Kauffman.	Terrell, McLennan.

Present—Not Voting.

McNealus.

Absent.

Paulus.

Senator Cofer moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 191.

(District No. 5.)

On motion of Senator Perkins the regular order of business (Senate bill No. 165) was suspended, and the Senate took up, out of its order, Senate bill No. 191, by the following vote:

Yeas—30.

Adams.	Mayfield.
Astin.	McNealus.
Bryan.	Meachum.
Carter.	Murray.
Cofer.	Peeler.
Collins.	Perkins.
Greer.	Ratliff.
Hudspeth.	Real.
Hume.	Sturgeon.
Johnson.	Terrell, McLennan.
Kauffman.	Terrell, Wise.
Lattimore.	Townsend.

Vaughan. Watson.
Ward. Weinert.
Warren. Willacy.

Absent.

Paulus.

The Chair laid before the Senate on second reading

Senate bill No. 191, A bill to be entitled "An Act to authorize the Texas Traction Company, a corporation, to purchase the Denison and Sherman Railway Company, a corporation, and to acquire, own, maintain and operate the properties now owned by the said Denison and Sherman Railway Company, including its lines of railway in the cities of Denison and Sherman, Grayson county, Texas, as well as its interurban railway connecting said cities, together with all franchises and rights possessed, owned and enjoyed by it, the Denison and Sherman Railway Company, and authorizing the said Denison and Sherman Railway Company, in case of said sale and purchase, to convey, assign, and deliver its properties, franchises and rights to the Texas Traction Company, to be owned and operated under its charter as part of its own lines and to authorize the Denison and Sherman Railway Company to convert a part of the capital stock into second mortgage bonds, and to authorize the Denison and Sherman Railway Company to execute a new mortgage to take up the outstanding mortgage for \$50,000, and to authorize the Texas Traction Company to mortgage the property so acquired, all to be subject to existing mortgages and liens."

Bill read second time and ordered engrossed.

On motion of Senator Perkins the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote

Yeas—29.

Adams. Hume.
Astin. Johnson.
Bryan. Kauffman.
Carter. Lattimore.
Cofer. Mayfield.
Collins. McNealus.
Greer. Meachum.
Hudspeth. Peeler.

Perkins. Vaughan.
Ratliff. Ward.
Real. Warren.
Sturgeon. Watson.
Terrell, McLennan. Weinert.
Terrell, Wise. Willacy.
Townsend.

Absent.

Murray. Paulus.

The bill was read third time and passed by the following vote:

Yeas—30.

Adams. Murray.
Astin. Peeler.
Bryan. Perkins.
Carter. Ratliff.
Cofer. Real.
Collins. Sturgeon.
Greer. Terrell, McLennan.
Hudspeth. Terrell, Wise.
Hume. Townsend.
Johnson. Vaughan.
Kauffman. Ward.
Lattimore. Warren.
Mayfield. Watson.
McNealus. Weinert.
Meachum. Willacy.

Absent.

Paulus.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 187.

(District No. 6.)

On motion of Senator McNealus, the regular order of business (Senate bill No. 165) was suspended, and the Senate took up, out of its order, Senate bill No. 187, by unanimous consent.

The Chair laid before the Senate on second reading

Senate bill No. 187, A bill to be entitled "An Act to amend Chapter 42 of the Acts of the Thirtieth Legislature by adding thereto Section 2a, and declaring an emergency."

On motion of Senator McNealus further consideration of the bill was postponed until Monday night (night session).

BILLS SIGNED.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate after their captions had been read, the following bills:

Senate bill No. 203, A bill to be entitled "An Act to amend Section 18, of Chapter 104, being an Act of the Twenty-ninth Legislature of the State of Texas, to define and provide for organizing and disciplining the militia, to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof, to define military offenses, to provide for the trial and punishment thereof, and subsistence of the militia when called into actual service, and to repeal all laws in conflict therewith, by amending said Section 18, so that the same shall provide for the appointment by the Governor of a staff, consisting of the Adjutant General and twelve aides-de-camp, and that said aides-de-camp, shall not be ineligible from holding any office of emolument, trust or honor, and shall not be ineligible from serving as the chairman or member of any committee of any political party, repealing all laws in conflict, and creating an emergency."

Senate bill No. 279, A bill to be entitled, "An Act to make an appropriation of \$60,000 for the purpose of erecting, constructing, equipping and furnishing a boys' dormitory at the State Orphans' Home at Corsicana, and declaring an emergency."

House bill No. 326, A bill to be entitled "An Act to grant a charter to the City of Houston Heights, in Harris county, Texas, defining its territorial limits, setting forth and defining its powers and duties; providing a system of taxation; providing for the election of officers; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 19, A bill to be entitled "An Act to provide for the filing in the General Land Office of chains of transfer of title to portions of the sold Public Free School lands, University and Asylum lands of this State, and the opening of accounts in the name of and patenting to the holders of such claims of transfer such lands in cases where

such transfers have been executed by the heirs, executors, administrators of survivors in the community of the deceased persons, or by the guardians of persons of unsound mind or minors, and in all cases where title has emanated through any regular court proceedings of this State, and in cases where such transfer has been executed by trustees under deeds of trust, mortgages under mortgages with power of sale or by sheriffs or other officers of court, acting under executions and orders of sale issued out of the courts of this State, and declaring an emergency."

House bill No. 23, A bill to be entitled "An Act creating the offense of pandering and to define and prohibit same. To provide for the punishment therefor, and providing what shall not be a defense, and declaring an emergency."

House bill No. 32, A bill to be entitled "An Act providing that the owners, lessees, operators or receivers of all cotton gins in the State shall write or stamp with indelible ink upon each and every bale of cotton ginned the word 'Tare,' the weight of the bagging and ties in which the cotton is wrapped, written or stamped with indelible ink in plain figures, defining separate offenses and providing penalties, declaring it unlawful for any person, firm, corporation, cotton exchange or board of trade to make greater deductions for tare either from the gross weight or any bale of cotton or the price of same than is shown by the figures written or stamped thereon, defining separate offenses, providing penalties and declaring an emergency."

House bill No. 361, A bill to be entitled "An Act creating the Hollis Independent School District in Madison county, Texas, defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

House bill No. 232, A bill to be entitled "An act to amend the charter of the city of Galveston by amending Section 35 thereof so as to authorize open streets, alleys and public parks; Section 62a thereof so as to include the northwest and northeast quarters of outlot 92 as known and desig-

nated on the maps and plats of the city of Galveston subdivision (b) of Section 34 thereof so as to authorize the Board of Commissioners of said city to require the pavement or improvement of the alleys in said city in the same manner as streets and sidewalks may be required to be improved or paved under the present charter and ordinances of the city of Galveston; Section 32 thereof so as to authorize the police and fire commissioner to hear and determine charges against policemen and firemen, and by adding to said charter, Section 34a, authorizing said Board of Commissioners to appropriate and expend annually a sum of not less than three thousand (\$3000) dollars to provide for public entertainment; Section 35a, authorizing said Board to cede and convey streets or alleys in the city of Galveston to the United States government, which said government may need for public purposes; Section 78c, ratifying and confirming an ordinance passed by the Board of Commissioners of the city of Galveston on June 30, 1910, whereby parts of certain streets in said city are closed, delivered and conveyed to the Union Passenger Depot Company of Galveston for the purpose of building thereon a union passenger depot, and other streets in lieu of those so surrendered by the city of Galveston are furnished the said city by the aforesaid, the Union Passenger Depot Company of Galveston, and further providing for the payment of twenty-five thousand (\$25,000) dollars by the said Union Passenger Depot Company of Galveston for the pavement of the streets so furnished to said city, and further providing for the building of drains and other public works; Section 36a, authorizing said Board of Commissioners to require owners of premises situated in the Seawall Improvement Fill to surface the same or cause the same to be done at the expense of such owners and premises and create a lien thereon, and declaring an emergency."

House bill No. 478, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Kendall county; to conform the jurisdiction of the district courts thereto and to repeal all laws in conflict therewith, and declaring an emergency."

ADJOURNMENT.

On motion of Senator Greer the Senate, at 10:50 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

REASONS FOR VOTING.

Printed here after announcement having been made by Senator Terrell of Wise:

We vote against sustaining the Chair on the appeal from his ruling on Senate Bill No. 139, in which the chair holds that the bill is contrary to Article 3, Section 33, of the Constitution of Texas, and we ask to have our reasons for such vote printed in the Journal.

For the President of the Senate, the Lieutenant Governor, to sustain a point of order that a bill, or an amendment to a bill, being considered by the Senate is unconstitutional, and by his ruling dispose of a measure, is usurping the prerogatives of the Senate and transcending the duties and powers given him by our Constitution. Article 3, Section 2, of the Constitution provides that "the Senate shall consist of thirty-one members and shall never be increased above that number." Article 4, Section 16, provides that "the Lieutenant Governor shall, by virtue of his office, be President of the Senate, and shall have, when in committee of the whole, a right to debate and vote on all questions; and when the Senate is equally divided, to give the casting vote." The above is the power, and the only power, given by our organic law to the Lieutenant Governor over the Senate. Each Senator must take an oath before he becomes a Senator to perform the duties incumbent upon him agreeably to the Constitution, and should the constitutionality of a proposed law be raised, the duty to pass upon that question falls upon the Senate and not the Lieutenant Governor.

The contention that the Senate votes directly on the constitutional point at issue when voting on an appeal from the Chair is wholly untenable, and in effect would force an extra burden on the Senate and would destroy the Senators' prero-

gative of voting directly on the constitutional point, uninfluenced by the Lieutenant Governor and disassociated from any other issue. Two widely divergent points are involved in this issue: (1) the constitutionality of the bill, and (2) the right of the Chair to rule when the constitutionality of a bill is the point raised. We stop to inquire how both issues can be settled by one vote? Should a Senator sustain views holding the bill unconstitutional, and at the same time deny the right of the Chair to rule, he would, under the exigencies of the situation, be compelled to vote against sustaining the Chair, and therefore be in direct contravention of his own views, and, in a way, that deprives him of the privilege of voting directly on the constitutional point involved.

In an analogous case, the following language is used in Hinds' Precedents of Congress, Vol. 2, Section 1255: "It is not the duty of the Speaker to construe the Constitution as affecting proposed legislation." In the same volume, Section 1318, where the same question was involved, the same ruling is made, and we quote the following: "April 22, 1878, Mr. John H. Reagan, of Texas, moved that the rules be suspended to pass a bill relating to the construction of certain public works on rivers and harbors. Mr. Samuel S. Cox, of New York, made the point of order that, under the Constitution, Section 8, Article 1, regulating commerce between the States, this bill was not in order. The Speaker, Samuel J. Randall, overruled the point of order on the ground that it was not the duty of the Chair to construe the Constitution as affecting or touching any proposed legislation." In Section 1338, of the same authority, these words are used: "If an amendment be proposed, inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order; for, were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications and suppress instead of subserving the legislative will."

In Section 1320, Vol. 2, Hind's Precedents, this very question was decided, and against the Chair: "Mr.

Wilson Reilly, of Pennsylvania, made the point of order that the amendment was out of order, on the ground that it virtually provided for raising revenue, which, under the Constitution, it was not competent for the Senate to originate. The Speaker said, 'The Chair does not perceive how the question or order could be made upon the amendment. It would devolve upon the Chair the necessity of disposing, by his volition, of an amendment sent here by the Senate of the United States. The Chair decides that he has nothing to do with the question whether the amendment is in order or constitutional or not. That is a question for the House to determine by their votes.'

The above authorities are the highest of the land, and should be followed by this Senate. It is important to the people of Texas that the co-ordinate branches of our government remain as fixed by our organic law, and that the Senate and the House and the Governor be unhampered in the discharge of their several duties. And the people of Texas should view with alarm any encroachment by the Lieutenant Governor of Texas on the fundamental and inherent rights of the Senate. Neither the Chair nor any Senator has presented one single precedent or authority authorizing the Chair to decide for the Senate the constitutionality of any proposed law; and yet, in the face of the above authorities, submitted, the presiding officer of both the House and the Senate have, in our opinion, exceeded their authority and have taken from the respective Houses the power to pass upon the constitutionality of a bill, which power is one of the safeguards given to the people of Texas by the Constitution.

Terrell of Wise; Mayfield, Cofer, Lattimore, Vaughan, Sturgeon, Johnson, Townsend, Collins, Warren, McNealus, Carter, Bryan.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 291, A bill to be entitled "An Act to amend Section 4a, of Chapter 100 of the General

Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, and being an act defining what shall be a full crew upon passenger trains run by railroad companies or receivers of railroad companies doing business in this State, what shall be a full crew on freight, gravel or construction trains run by said railroad companies or receivers, providing for certain cases to which this Act shall not apply, rendering it unlawful for any such railroad company or receiver to run any train or light engine subject to this Act, without in each instance having the full crew required; imposing a penalty for each violation by any railroad company or receiver of any of the provisions of this Act; prescribing the venue of suits to recover penalties for violation of this Act and the officers by whom the suits shall be brought, and exempting all railroads less than twenty miles in length, and declaring an emergency."

The purpose of the amendment is to exempt from the provisions of said Act any railroad company within this State, or receiver or lessee thereof, whose line is less than fifty miles in length.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 265, A bill to be entitled "An Act authorizing the formation of corporations for the purpose of generating, manufacturing, transporting and selling gas, electric current and power in this State, and to make reasonable charges therefor, to construct, maintain and operate power plants and substations and such machinery, apparatus, pipes, poles, wires, devices and arrangements as may be necessary to operate such lines at and between different points in this State, and to own, hold and use lands, rights of ways, easements, franchises, buildings and structures necessary for the purpose, with the right to enter upon, condemn and appropriate lands, right of ways, easements and property of any

person or corporation and erect lines over and across public roads, railroads, interurban and street railroads, canals or streams in this State and streets and alleys of any incorporated city or town, with the consent and under the direction of the governing board of such city or town, all in the same manner as is provided by law in the case of railroads, pipe lines, telephone and telegraph lines, and providing for the manner of construction; also giving the right to borrow money, issue stock and preferred stock, to mortgage its franchises and property, to secure the payment of debts contracted for the purposes of the corporation; and further, making it unlawful for such corporation to discriminate against any person, corporation, firm or association, or place in the charges for such gas, electric current or power or the services rendered under similar and like circumstances."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 292, A bill to be entitled "An Act to amend Section 4a of Chapter 46 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, being an act to provide adequate punishment for any person who shall engage or act in the capacity of locomotive engineer or train conductor upon any railroad in the State of Texas without having first served three (3) years as a locomotive fireman or engineer, or if engaged as a conductor on any railroad train in this State, he shall be punished as herein provided if he engaged to so act without first having served two (2) years as a brakeman or conductor of a freight train. To punish any person who shall knowingly engage, promote, require, persuade, prevail upon or cause any person to do any act in violation of this Act, but exempting lines operating less than twenty-five miles in length from the operations of this Act."

The purpose of the amendment be-

ing to exempt from the provisions of said act any railroad company within this State, or the receiver or lessee thereof, whose line is less than fifty miles in length, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Internal Improvements, to whom was referred

Senate bill No. 284, a bill to be entitled "An Act authorizing the sale of the railroad belonging to the State, extending from Rusk to Palestine, and its appurtenances; providing the manner of fixing the consideration and terms of the sale and to whom it may be sold, and if sold to the owners of a railroad it may be operated as a part thereof, placing it under the supervision of the Railroad Commission, providing the manner of making the conveyance; providing further, if no sale can be made in a given time, then the State railroad, equipment and appurtenances shall be leased to whom it may be leased, and how the proceeds of the lease shall be applied, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred

Senate Bill No. 284, A bill to be entitled "An Act authorizing the sale of the railroad belonging to the State extending from Rusk to Palestine, and its appurtenances, providing the manner of fixing the consideration and terms of the sale and to whom it may be sold, and if sold to the

owners of a railroad it may be operated as a part thereof, placing it under the supervision of the Railroad Commission, providing how the proceeds of sale shall be applied, and providing further, if no sale can be made in a given time, then the State Railroad, equipment and appurtenances shall be leased, to whom it may be leased and how the proceeds of the lease shall be applied, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

Hudspeth, Kauffman, Real, Mayfield.

Committee Room,
Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 171, a bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate as a part of its line, the railroad of the Stephenville, North and South Texas Railway Company, together with all the franchises and property incident or appertaining thereto; the railroad of the Eastern Texas Railway Company, together with all the franchises and property incident or appertaining thereto, or either of such railroads, together with its franchises and property incident or appertaining thereto; and to authorize the Stephenville, North and South Texas Railway Company and the Eastern Texas Railway Company, each, to sell its railroad, together with all the franchises and property incident or appertaining thereto to the said St. Louis Southwestern Railway Company of Texas, and to authorize the latter company, after such purchase of either of said railroads, to operate the same under its charter as part of its own line, and to extend the lines of roads so purchased and to construct branches therefrom by amendment to its charter under the General Laws of the State of Texas. And until such purchase is made to authorize the lease by the St. Louis Southwestern Railway Company of Texas of the railroads and other properties of the Stephenville, North and South Texas Railway Company for a term, or term not exceeding fifty years, and

until such purchase is made, to authorize the St. Louis Southwestern Railway Company of Texas to purchase and own the capital stock of the Stephenville, North and South Texas Railway Company, and to regulate the reports and operations of either of said railroads and property after the lease or purchase thereof; and to authorize each of said railway companies to execute all necessary contracts, agreements and conveyances to accomplish said purchase, and sale, and declare an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the following amendment:

Amend the bill by adding after Section 6 the following:

Provided, that the provisions of this bill shall not be of any binding force and effect until after the Eastern Texas Railroad Company shall have extended its line of railroad from Kennard, its present terminus, to Crockett, a distance of seventeen miles, as called for by an amendment to its charter.

KAUFFMAN, Chairman.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 442, a bill to be entitled "An Act to create a more efficient road system for Wood County, Texas, and making the county commissioners of said county ex officio road commissioner, and prescribing their compensation as such road commissioners, and providing for working county convicts upon public roads of said county, and for the payment of the fees of officers and witnesses in such cases, and providing for the amount of time to be allowed road hands for their teams, and providing for the payment of \$3.50 in lieu of road service; abolishing the road overseer system in Wood County; making road hands subject to the control of the road commissioners and road superintendent of Wood County, and making road hands subject to road service anywhere in the commissioners precinct in which they reside, but not exceeding five

miles from their place of residence; and providing further, making this law cumulative of the general road laws, and in case of a conflict, this Act to govern as to Wood County; repealing Chapter 11 of the special laws of the Second Called Session of the Thirty-first Legislature of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 254, a bill to be entitled "An Act amending Sections 6 and 7 of an Act passed by the Regular Session of the Thirty-first Legislature, entitled 'An Act to repeal chapter 31 of the local and special laws of the Thirtieth Legislature of Texas, creating a special road system for Williamson County, Texas, and approved March 20,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 324, a bill to be entitled "An Act to amend an Act passed by the Thirty-first Legislature at its Regular Session, being House bill No. 56, styled: 'An Act to create a more efficient road system for Bexar County, in the State of Texas, and creating an emergency,' approved February 24, 1909, so as to provide a method for the commissioners court to protect the roads of Bexar County from encroachment and

injury, and providing penalties for a violation, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus.

(Floor Report.)

Committee Room,
Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House Bill No. 253, A bill to be entitled "An Act amending the special road laws in force in Smith county, Texas, authorizing the commissioners court of said county to appoint a county road superintendent, defining the powers and duties of the road superintendent and road overseer; providing for the working of county convicts on the public roads; providing for the collection of delinquent poll taxes; providing for the application of the road and bridge funds collected on property situated in incorporated towns and cities, and repealing House bill No. 740, Chapter 83 of the Acts of the Thirtieth Legislature of Texas, 1907, Sections No. 1 to 23, inclusive, and enacting this bill in lieu thereof, which shall be cumulative of the general road laws of Texas as applicable to Smith county, and the special Smith county road law of the Twenty-ninth Legislature, 1905, same being Chapter 4 of said Special Acts; providing that where any portion of the general road laws of said special road laws applicable to Smith county shall conflict herewith, this Act shall take precedence, and providing an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Ratliff, Weinert, Paulus.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

Senate bill No. 305, A bill to be entitled, "An Act to amend Section 14, of Chapter 5, of the Special Laws of the State of Texas, passed by the Regular Session of the Twenty-ninth Legislature, to provide that each county commissioner shall be ex officio road commissioner for his district, prescribing his duties and compensation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Johnson.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 385, A bill to be entitled, "An Act to create a more efficient road law for Bee county, Texas, defining the powers and duties of the commissioners court in regard to public roads in Bee county; authorizing the employment of a county road superintendent; requiring that he give bond; defining his powers and duties, and fixing a limit to his compensation; providing for the adoption of a road system for working and repairing the public roads and bridges and for the laying out and constructing public roads and bridges; giving to the superintendent supervision over all county convicts, worked on roads; defining the duties of road hands, fixing the time they shall work; providing for the payment of money in lieu of road work; providing for the collection of a tax of three dollars and fifty cents on male persons between the ages of twenty-one and thirty-five years, subject to road duty; providing that work on roads and bridges may be let out by contract; authorizing the employment of convicts on the public roads, providing rules and regulations therefor and fixing the sum allowed them for their services; authorizing the commissioners court to divide the county into road precincts and empowering the road superintendent to appoint assistants in said precinct; and to contract for wagons

and teams for use on the public roads; defining the duties of road hands, fixing the time they shall work on said roads, and providing for the payment of money in lieu of road work; providing that the county can condemn land for road purposes, declaring what are public roads and classifying them; and authorizing the commissioners court to levy taxes for road and bridge purposes; making this Act cumulative of the general laws applicable to Bee county, except in case of conflict."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Paulus, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 353, A bill to be entitled, "An Act to amend Section 26, Chapter 2, Special Laws of First Called Session of Twenty-eighth Legislature so as to regulate the pay of road commissioner of Hopkins county."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman, Weinert, Paulus, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 323, A bill to be entitled, "An Act to authorize the county commissioners court of Bexar county, Texas, to levy a special road tax of ten cents on the one hundred dollars valuation in addition to the regular road taxes now authorized by law, for the purpose of building good roads and extending, improving and repairing the roads in said county, and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Paulus, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 256, A bill to be entitled, "An Act to create a more efficient road system for Live Oak county, Texas; making the county commissioners of said county ex officio road commissioners thereof and prescribing their duties and providing compensation for them as such; requiring said commissioners to give bond as road commissioners; providing for laying said county off into road precincts; authorizing the commissioners court of said county to buy, rent or hire such teams, tools, machinery, implements, supplies and material as may be necessary for draining, grading, repairing and otherwise working and improving the roads, bridges and culverts of said county and to sell the same, and to adopt such system and plans as it may deem best for working, grading, draining and otherwise improving the roads of said county, providing for the working of county convicts on the public roads of said county and for the payment of officers' fees and the payment of rewards and penalties for the capture of escaped convicts; providing for the appointment of road overseers and the payment of such overseers for extra time; placing road overseers and the work done by them under the control and supervision of the commissioners; providing that those liable to work on the roads of said county shall be exempt therefrom by payment to the county of the sum of three (\$3.00) dollars; providing compensation for the county treasurer for keeping and accounting for the funds collected under the provisions of this Act; providing penalties for failure of road overseers to perform their duties; providing that this Act shall be cumulative of the general laws of the State in reference to the public roads of said county, and declaring an emergency.

Have had the same under consid-

eration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 416, A bill to be entitled 'An Act to create a special road law for Morris county, Texas, providing for an election for the adoption of this Act; providing for levying and collecting a road tax and for the working on the public roads of said county of those subject to and failing to pay said tax; requiring the commissioners court of said county to appoint a county road superintendent, prescribing and defining his qualifications and duties and providing for his compensation; defining the duties of the commissioners court with respect to the public roads of said county; authorizing and providing for the working of county convicts upon the public roads and for the commutation of sentence of convicts for faithful service and good behavior, not to exceed one-eighth of the whole time of commitment, prescribing the duties of said court with respect to the care and maintenance of such convicts, and providing for officers fees; authorizing the employment of not exceeding two assistants to the road superintendent, providing for their compensation and prescribing their duties; authorizing the county road superintendent to contract with a person subject to road duty for hire of wagons and teams, and providing compensation therefor; providing that delinquent poll tax payers shall be subject to three days road duty, in addition to any other road service to which they may be subject; authorizing delinquent poll tax payers to be relieved from the additional road duty hereby imposed upon payment of \$3.50, requiring the county road superintendent to make quarterly reports under oath and prescribing the duties of the commissioners court and the county clerk of said court with respect thereto, and prescribing penalties for the

failure of the county road superintendent to make such reports and for purposely or wilfully making untrue or incorrect reports, and for misappropriating public funds, or other offense; providing for the condemnation of land needed for the opening, widening, straightening or draining of the roads; declaring what are public roads of said county and providing for the classification and working thereof; and providing for the establishment of new roads and discontinuance of old ones; and for the establishment and abandonment of neighborhood roads; authorizing the employment of hands and purchase and hire of labor, tools, teams, implements and machinery, and providing for the payment therefor, and prescribing the duties of the county road superintendent and the county clerk with respect thereto; providing, in certain cases, for the making or improvement of public roads and bridges by contract; authorizing the commissioners' court to levy and collect a tax not to exceed fifteen cents on the one hundred dollars valuation, to be used exclusively for road and bridge purposes, and providing for the disbursement thereof and providing penalties for the misuse or misappropriation thereof; to levy such tax, making this Act cumulative of all general laws on the subject applicable to Morris county, except in cases of conflict or inconsistency, or where this Act prescribes a different method, manners, power or right, in which cases this Act shall govern as to Morris county."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Weinert, Johnson, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 345, A bill to be entitled "An Act creating a more effective road system for Scurry county, Texas, and making county commissioners ex officio road com-

missioners of their respective precincts and prescribing their powers and duties as such; and providing for the compensation of such road commissioners; and providing for the purchase of materials for the construction and maintenance of roads and bridges; and providing for the payment for such materials, and prescribing certain duties for road overseers; providing a compensation of two (\$2.00) dollars per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurers; providing that any person liable for road duty any year, shall be exempt upon the payment of three (\$3.00) dollars into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing that this Act is cumulative of the general laws and fixing penalty and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus, Perkins.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 372, A bill to be entitled, "An Act creating a more efficient road system for Anderson county, Texas; prescribing and defining the powers and duties of the county commissioners as ex officio road commissioners of their respective precincts and prescribing and defining their powers and duties as such, providing for an annual road tax and that payment of same will exempt from road work; designating who are liable to work on public roads, and how summoned, exempted, etc.; providing that this Act be cumulative of all laws on the subject of roads and bridges except when in conflict, and that it be taken notice of by the courts as all general laws; prescribing penalties for its violation; repealing all laws in conflict; and providing that this Act go into effect on November 1, 1911."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Johnson, Paulus, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 428, A bill to be entitled, "An Act to authorize and empower county commissioners' precincts or any defined subdivision thereof of Burnett county, Texas, to determine by vote of the resident qualified tax paying voters of any county commissioners' precinct or any defined subdivision thereof of said county whether or not the bonds of any such county commissioners precinct or defined subdivision thereof shall be issued in any amount not to exceed one-fourth of the assessed valuation of the real property of such county commissioners' precinct or any defined subdivision thereof for the purpose of constructing and maintaining macadamized, graveled or paved roads and turnpikes or in aid thereof within such precinct or defined subdivision, etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Weinert, Johnson, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 300, A bill to be entitled, "An Act to amend Section 23 of the Acts of 1907, passed by the Legislature of the State of Texas, being an Act entitled, 'An Act to amend an act passed by the Twentieth Legislature of the State of Texas, Chapter 74, to create a more efficient road system for Brazoria

county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county and providing a penalty for the escape of county convicts; and providing the amount of compensation in road time to be allowed by overseers to road hands for teams, and road work, and providing for the condemnation of land for public road purposes; and providing for the working of delinquent poll tax payers on the public roads; and relieving road hands from the performance of road work by the payment of the sum of three dollars; and providing for election, for issuance of bonds for bridge purposes; and providing for the making of this law cumulative of the General Laws, and in case of conflict this Act to govern as to Brazoria county, Texas, and creating an emergency, such amendment providing for more adequate compensation for road commissioners and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Weinert, Johnson, Ratliff.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred,

House bill No. 299, A bill to be entitled, "An Act to amend Section 23, Chapter 46 of the Acts of 1901, passed by the Twenty-seventh Legislature of the State of Texas, being an Act entitled 'An Act to create a more efficient road system for Matagorda county, Texas, and making the county commissioners of said county ex officio road commissioners, prescribing their duties as such and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county, and providing a penalty for the es-

cape of county convicts and providing the amount of compensation in road time to be allowed by overseers to road hands for teams and road work and providing for the condemnation of land and for public road purposes; providing for the working of delinquent poll tax payers on the public roads, and relieving road hands from the performance of road work by the payment of the sum of three dollars, and providing for election for issuance of bonds for bridge purposes, and providing for the making of this law cumulative of the General Laws, and in case of a conflict this Act to govern as to Matagorda county, Texas, and creating an emergency," such amendment providing for more adequate compensation for road commissioners of Matagorda county, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Weinert, Ratliff, Paulus.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 311, A bill to be entitled "An Act to amend Title 51, Chapter 15, of the Revised Civil Statutes of the State of Texas, relating to the guardianship of persons of unsound mind and habitual drunkards, so as to add thereto Articles 2742a and 2742b; providing for the partition and distribution of the estates of persons of unsound mind by the lawful heirs at law, where it is made to appear that such person of unsound mind is permanently insane and that the estate of such person consists of property of greater value than is necessary for the support and maintenance of such person of unsound mind, out of the income and profits thereof, and the reasonable expense of legal proceedings in connection therewith; providing for procedure in such cases where partition and distribution is sought; determining the manner by which such partition and distribution may be had, and providing who

shall inherit such estates, and declaring an emergency."

Have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass.

Ward, Chairman; Meachum, Weinert, Watson, Greer, Murray, Carter, Warren, Astin.

Committee Room,

Austin, Texas, Feb. 23, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred,

Senate bill No. 290, A bill to be entitled, "An Act to regulate pool halls and billiard halls and places where pool tables and billiard tables are kept and run for profit, and prescribing penalties, and creating an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 310, A bill to be entitled "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas, to fix the times for holding the terms of district court therein; to make all process heretofore issued as well as all bonds and recognizances heretofore entered into conform thereto; and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Meachum, Watson, Peeler, Paulus, Hume, Murray, Carter, McNealus.

(Majority Report.)

Austin, Texas, Feb. 23, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Judiciary Committee No. 2, to whom was referred,

Senate bill No. 281, A bill to be entitled, "An Act to prevent the pollution of the water courses of the State of Texas, providing a penalty therefor, and providing means for the abatement thereof."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

(Minority Report.)

Austin, Texas, Feb. 23, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 2, to whom was referred

Senate bill No. 281, A bill to be entitled, "An Act to prevent the pollution of the water courses of the State of Texas, providing a penalty therefor, and providing means for the abatement thereof."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

Watson, Hudspeth, Paulus, Adams, Meachum.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2 to whom was referred

House bill No. 263, A bill to be entitled "An Act to amend Section 2, Chapter 49, page 45 of the General Laws passed at the Regular Session of the Thirty-first Legislature, relating to the taking of fish, the purpose of the amendment being to exempt Coryell county from the operation of this Act, and declaring an emergency."

Have had same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass, with the following committee amendment, to wit: striking out the word "Angelina" in the counties exempted and by striking out the words "provided that in the county of McLennan it shall not be unlawful for any person or persons to take or catch fish by means of net or seine from any stream in said county from May 15 to October 1 of each year," in lines 5 to 9, page 2 of original bill.

Watson, chairman; Paulus, Cofer, Ratliff, Johnson, Hudspeth, Murray, Willacy, Adams, Sturgeon.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

House bill No. 478, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County court of Kendall county to conform to the jurisdiction of the district courts thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

Have had same under consideration and beg to report it back to the Senate, with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Watson, Peeler, McNealus, Weinert, Hume, Carter, Murray.

Committee Room.

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 300, A bill to be entitled "An Act to amend Sections 4, 5, 6, 7, 8, 9, 10 and 11 of Chapter 144 of the General Laws of the Thirtieth Legislature entitled 'An Act to preserve and protect the wild game, wild birds and wild fowl of the State, to provide adequate penalties for the violation of this Act, and the unlawful taking, slaughtering, sale, purchase or shipment thereof, and to repeal all laws or parts of laws in conflict herewith,' so as to repeal the provisions in said sections imposing a jail sentence for violations of said act."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 427, A bill to be entitled "An Act creating the Golden Rule Independent School District,

situated in Grayson county, Texas; describing the same by metes and bounds; prescribing the rights, duties, powers and privileges of said school district, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Perkins, chairman, Collins, Astin, Ratliff, Watson, Hume, Sturgeon, Weinert, Paulus, Warren, Real.

Committee Room.

Austin, Texas, Feb. 23, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 36, "An Act to amend Article 642, Title 21, Chapter 2, of the Revised Statutes of the State of Texas, by adding thereto Section 24a, providing that corporations may be created for the purpose of gathering and harvesting cotton, and also by adding thereto Section 24b, providing that corporations may be created for the purpose of doing a general advertising business."

And find it correctly enrolled and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room.

Austin, Texas, Feb. 23, 1911.
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 266, "An Act to create a special road system for Ellis county, Texas; and making the county commissioners ex officio road commissioners, and providing for the appointment of deputy road commissioners, and prescribing their powers and duties as such, and providing compensation for such road commissioners; and providing for the purpose of laying out and establishing roads, and for straightening, widening or draining any established road; and for the condemnation of any timber, earth, sand, clay, gravel or other material, for the construction and maintenance of public roads, and for provid-

ing for the working of the county convicts upon the county roads; and the purchase of supplies therefor, and providing for the capture of escaped county convicts; and for the commutation of sentence for faithful service and good behavior, and providing that every person liable for road duty shall pay three dollars road tax exempting such persons paying the same from road duty for such year for which such road taxes were paid, and providing that delinquent poll tax payers shall be liable for extra road duty three days, and providing the manner of summoning and working such persons who have not paid such tax; and providing punishment for failure to perform road duty; and to provide railroads to do work and keep in repair their right of way on public roads; and the county to work same if the railroad fails so to do, and declaring an emergency."

And find it correctly enrolled, and have this day, at 6 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

House bill No. 302, A bill to be entitled "An Act creating the Oak Alla Independent School District in Burnet county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only, under the General Laws, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Perkins, Chairman; Collins, Astin. Weinert, Real, Warren, Watson, Hume, Paulus.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 401, A bill to be entitled "An Act to create the county court of Galveston county at law, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Galveston county, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Hudspeth, Chairman; Paulus, Watson, Peeler, Real, Murray, McNealus, Meachum.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 80, A bill to be entitled "An Act to amend Section 6d of Chapter 20, passed by the Regular Session of the Thirtieth Legislature and approved May 16, 1907, relating to transfers by purchase of public free school, university and asylum lands, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 177, A bill to be entitled "An Act to enable the people of the arid sections of the State to receive the benefits of the United States Reclamation Act, by declaring that water users' associations organized under the authority of such Act, and the regulations of the Department of the Interior of the United States, to be not subject to charter fees and franchise taxes, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on En-grossed Bills have carefully examined and compared

Senate bill No. 186, A bill to be entitled "An Act to amend Chapter 56 of the Acts of the Regular Session of the Thirty-first Legislature (1909), approved March 17, 1909, relating to the State Institution for the Training of Juveniles, by adding thereto a new article to be known as Article 2947a, providing for religious services at said institution and the employment of a chaplain, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 203, "An Act to amend Section 18 of Chapter 104, being an Act of the Twenty-ninth Legislature of the State of Texas, to define and provide the organization and disciplining the militia, to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof, to define military offenses, to provide for the trial and punishment thereof, to provide for the pay, transportation and subsistence of the militia when called into actual service, and to repeal all laws in conflict therewith, by amending said Section 18 so that the same shall provide for the appointment by the Governor of a staff, consisting of the Adjutant General and twelve aides-de-camp, and that said aides-de-camp shall not be ineligible from holding any office, of employment, trust, or honor, and shall not be ineligible from serving as the chairman or member of any committee of any political party, repealing all laws in conflict, and creating an emergency."

And find it correctly enrolled, and have this day, at 3:15 o'clock p. m., presented the same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room.

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: our Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 279, "An Act to make an appropriation of \$50,000 for the purpose of erecting, constructing, equipping and furnishing a boys' dormitory at the State Orphans' Home, at Corsicana, and declaring an emergency."

And find it correctly enrolled and have this day, at 3:15 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

House bill No. 377, A bill to be entitled "An Act to ratify and confirm an ordinance passed by the Board of City Commissioners of the City of Galveston, on the 19th day of January, 1911, vacating that portion of Eighth street between Avenue A and B in the City of Galveston, to be used for hospital purposes as a part of the John Sealy Hospital, and closing that portion of Eighth street as a public street, and declaring an emergency."

Have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Chairman; Lattimore, Terrell of McLennan, Peeler, Kauffman, Hudspeth, Collins, Perkins, Hume.

(Floor Report.)

Austin, Texas, Feb. 24, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

House bill No. 500, A bill to be entitled "An Act to amend Sections 2, 21 and 28 of Article 8, and Article 2, by adding thereto Section 35, and Article 3, by adding thereto Section 4a, and Sections 1, 3 and 4 of Article

5, and Sections 1 and 9 of Article 6, and Sections 1, 2 and 12 of Article 7, and Sections 16 and 17 of Article 9, of Chapter 33, Special Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation,' and as amended by an Act of the Thirty-first Legislature of the State of Texas, at its Third Called Session, and approved August 15, 1910, repealing all laws and parts of laws in conflict herewith, and declaring an emergency; defining the corporate powers of the city of Denison, regulating the election of school trustees, defining their qualifications and duties, regulating contracts for public work, providing for a depository of city funds; regulating the assessing and collection of taxes; defining the city council, providing for the qualifications of the members thereof, fixing their tenure of office, and regulating the election, regulating the appointment and removal of officers and employees, defining the qualifications of the mayor; providing for his election and fixing his tenure of office; fixing the mayor's salary, regulating the number of aldermen, defining their qualifications; providing for their election and fixing their tenure of office; fixing the salary of aldermen, and providing for the election of the mayor, aldermen, school trustees and other officers and heads of departments, and fixing their tenure of office, under the provisions of this Act."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Chairman; McNealus, Peeler, Terrell of McLennan, Perkins, Collins, Vaughan, Hudspeth, Kauffman.

PETITIONS AND MEMORIALS.

By Senator Perkins:

Petition numerous signed by citizens of Raines county urging the Legislature to establish an Agricultural, Mechanical and Industrial College at Greenville, Texas.

By Senator Adams:

Petitions numerous signed by citizens of Coleman and San Saba counties requesting support of the following Farmers' Union measures:

House bill No. 99 and Senate bill No. 23.

House bill No. 32 and Senate bill No. 46.

House bill No. 124 and Senate bill No. 82.

Also bills requiring cotton classing to be taught in schools and that requiring teachers to be examined in agriculture.

By Senator Hudspeth.

Petitions numerous signed by citizens of El Paso protesting against the cutting off of any portion of El Paso county for the purpose of creating a new county

By Senator Murray.

Petition numerous signed asking the Legislature to change the laws so as to eliminate Sunday fairs, shows, races, hunting, fishing, games, sports and excursions.

By Senator Lattimore.

Petition numerous signed by citizens of Parker county urging support of an amendment to the I. and G. N. bill, which is alleged to be interfering with railroad building in Texas.

By Senator Mayfield.

Petition numerous signed by citizens of his district expressing favor of efforts in behalf of game law enforcement and establishing a comprehensive system of game wardens.

THIRTY-FIRST DAY.

Senate Chamber,

Austin, Texas, Feb. 25, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.
Astin.
Bryan.
Carter.
Cofer.
Collins.
Greer.
Hudspeth.
Hume.
Johnson.
Kauffman.
Lattimore.
Mayfield.

Meachum.
Murray.
Paulus.
Peeler.
Perkins.
Ratliff.
Reel.
Sturgeon.
Terrell, McLennan.
Terrell, Wise.
Townsend.
Vaughan.
Ward.